

Response to Amendment

Applicant's arguments filed 6/18/03 have been fully considered but they are not persuasive. The Amendment submitted by Applicant does not overcome the rejection made by Examiner in the last Office action.

Claims 1-4 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over EP 0481478.

The rejection is maintained for the reasons as stated in the last Office action and for the following reasons:

Applicant's arguments are based on the difference in that EP'478 does not disclose the fluorine containing resinous copolymer having functional group as required by amended claim 1.

The following position is taken because the instant claims are read as broadly as possible. Limitations from the specification or Remarks as to how the polymers are produced to have functional group are not read into the claims. The claims as presented are included within the broad teachings of the reference since they read on a copolymer contains a hydrocarbon vinyl ether compound unit and tetrafluoroethylene unit, has a fluorine content of not less than 10% by weight and is insoluble in tetrahydrofuran, produced from any methods having the claimed characteristic.

The reference clearly disclose all of the requirements, as stated in the last Office action, then the fluorine containing resinous copolymer having the functional group, must be considered inherent in the prior art. Applicant has presented no factual evidence to show how the Applicant's copolymer has the functional group.

Further, Applicant's arguments based on the product of the reference is a crosslinked polymer have been fully considered but they are not persuasive since they are not commensurate in scope with the claims.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Truong whose telephone number is 703-308-2437. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on 703-308-2462. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.



DT
July 22, 2003

DUCTRUONG
PRIMARY EXAMINER